

I understand why the President and Leader MCCONNELL try to celebrate judicial nominees. They hardly have a legislative accomplishment to name. The truth is, when it comes to judicial picks, the President and Senate Republicans should be downright ashamed of their record.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—S. 2603

Mr. DURBIN. Mr. President, when I first came to the Senate, I was asked to serve on the Senate Judiciary Committee, and I considered it quite an honor. It is an extraordinary committee with a rich history of involvement in some of the most important issues of our time, and that has been the case for generations.

Recently, when it was reformed, I was asked on which subcommittee I wanted to serve. I chose the Immigration Subcommittee. I took it for two reasons. First, I am a lucky American. My mother was an immigrant to this country. She was brought here at the age of 2 from Lithuania. Her mother, who brought her, didn't speak English, but my mom was a pretty smart little girl. She spoke English and Lithuanian, and she was the translator for the family. They even called her into a courtroom as a little girl to translate for a person who was being charged so that they understood the law. My mother was an extraordinary woman. She had an eighth grade education, but was one of the smartest people I have ever known. I guess that is a son talking, but you might expect it.

I often thought I was lucky that she lived long enough to see me sworn into the U.S. Senate. This immigrant girl, who became an American citizen, saw her son become the 47th Senator from the State of Illinois. That is my story. That is my family's story. That is America's story. That is who we are.

We are a Nation of immigrants. But for those blessed to be able to trace back their roots to indigenous people and Native Americans, all of us have come to this country—either ourselves personally, our parents, or grandparents.

Immigration means a lot to me because I think the diversity of this country is its strength. The fact that people were willing to sacrifice so much to come to the United States of America tells me something about them. Many of them risked everything. They left everything behind—left behind their families, their places of worship, their language, their culture, their food—and came to a place they had never seen before because they heard what America was all about—a land of opportunity. So I wanted to be on that subcommittee.

The second reason I wanted to be on the subcommittee is that the immigration laws of the United States are a disaster. They are terribly broken. They do not serve our Nation, either in terms of security or bringing the diver-

sity we need for our future. I have known this for a long time.

It was 6 or 7 years ago that we put together a group of Senators, four Democrats, four Republicans. John McCain was leading the Republicans with LINDSEY GRAHAM, MARCO RUBIO, Jeff Flake. On the Democratic side was Senator SCHUMER, who just spoke on the floor; Senator MENENDEZ of New Jersey; Senator BENNET of Colorado; and I. We sat down for months, night after night, looking at every section of the immigration law—this broken law—to say: How will we change this? How can we reach political compromises and serve the best needs of this Nation? And we came up with it.

We came up with this comprehensive bill and brought it to the floor of the Senate, and it passed with 68 votes. We finally found a bipartisan answer—just exactly what the American people sent us to do.

We sent our work product over to the House of Representatives, and they refused to even consider it. They wouldn't bring our bill up for a vote. They wouldn't debate it, wouldn't offer an amendment, an alternative substitute—nothing. And here we sit with this broken immigration system.

I want to describe to my colleagues—or at least those listening in the Senate—one of the issues that came up recently. Here is what it comes down to. There are people who come to the United States to work. Many of them come on what is known as an H-1B visa. It is a specialty visa, and it says that in this situation, this company cannot find an American to fill the job and wants to bring a talented person from another company on a temporary visa to work. Thousands come under this program each year. Many of them come from the country of India. They are trained engineers, by and large, but they are also doctors, and they are professionals who are needed in communities all across our country.

Well, we have run into a problem because once they are here and have been here for some time, many of them want to stay. That in and of itself is a good thing, as far as I am concerned. If they are productive employees making a business profitable, creating new jobs in the process, I want them to stay. Some of them were actually educated in the United States and are using that education, working here, but now they want to be permanent residents in this country.

There is a difficulty in the problem because we limit the number of people who can apply for what is known as green cards—employment-based visas—each year. The limitation is 140,000. It may sound like a lot, but believe me, there are hundreds of thousands more who are seeking these visas.

We have a problem particularly when it comes to those of Indian descent. The problem is the fact that so many of them have come to fill these temporary work jobs and are applying for green cards that there are many more

applications for green cards than there are actual cards to be issued. There are only 140,000 total each year for the entire world. There are over 500,000 Indians who have come to this country and are asking for green card status. The law also says that no more than 7 percent can come from any 1 country of the 140,000. If you do the simple math of about 10,000 each year and with there being over 500,000 Indians waiting, imagine what that means. It means that many of them will never live long enough to qualify for a green card. So this has become very controversial. Many of them are desperate, and they should be, for their plights are now so uncertain.

It is complicated by the fact that if you come here in an employment-based situation—on a temporary visa, an H-1B—you can bring your family with you, meaning your spouse and your children. Yet, if you stay here for a period of time and if your children reach the age of 21, they can no longer stay based on their parent's visa. Frankly, they are subject to deportation, and some are deported.

The other night, I met a large group of these Indians in the State of Illinois who came to me pleading for help. I want to help them. I hope they understand and those who are listening understand as well that when it comes to immigration, I am in favor of border security and of orderly immigration, but I am in favor of immigration and the diversity it brings to this country and the talent it brings to this country.

I have a bill before us, known as the RELIEF Act. It would lift that cap of 140,000 so we could absorb more people each year into our country who have been here already or who have been working here already and whose families have been established here already but who just want a chance to, ultimately, apply for citizenship. That is what my bill would do.

It would do two other things, and I want to bring these points up for those who are considering my unanimous consent request that I am about to make. I want them to understand how personal and important this is to the people I am talking about.

One of the provisions I mentioned relates to the fact that if you bring children to the United States while you are working on those temporary visas, those children are protected until they reach the age of 21, but they are then subject to deportation. I cannot tell you the emotional scenes I have witnessed in the last few weeks as these parents have introduced me to their children and have said to me: Senator, I am in this long line waiting for a green card. My 12-year-old daughter could end up being 21 years old and deported while I am still waiting. I want to take care of her. I want her to have a chance to go to school, and I want her to have a bright future. Yet her fate is tied to the fact that there are not enough green cards for me to stay in this country.

One of the provisions in the RELIEF Act that I urge my colleagues to consider when I make this unanimous consent request is that if you apply for a green card as a parent, the age of your children at that moment is basically frozen for legal purposes. Those children cannot age out while you are waiting in line if you applied while they were still minors. This will protect these children from deportation. This is one of the most important and humane things we can do.

The second thing is, if we are going to establish any standards or quotas for those who are allowed in this country to have employment-based visas and green cards, we shouldn't count the spouses and dependent children. Let's just count those who are, frankly, going to work as engineers and doctors in our communities.

The net result of the RELIEF Act is to create a realistic way to lift the cap in order to allow more to come in each year who are qualified, who have already been vetted, and who have gone through the background checks. It is not to penalize the minor children who might age out while their parents are waiting. We should make sure the spouses and dependent children aren't counted toward any ultimate quota.

The RELIEF Act would lift country caps that limit the number of green cards that go to immigrants from any particular country. These country caps have contributed to this terrible backlog that we currently have. Yet lifting these caps alone will not clear the green card backlog. Without more green cards, which is what I am calling for, the current backlog of 800,000 people total—I mentioned 500,000 were from India—who are waiting for employment-based green cards will actually increase if we don't lift the cap by 300,000 in the next 10 years.

The RELIEF Act is not novel or controversial. You will remember that earlier I talked about a comprehensive immigration bill. What I am proposing today is included in it. It is a bipartisan proposal, and it is one that, I think, we should return to in order to solve the problem.

The RELIEF Act has been endorsed by many national business, immigrant, and labor organizations, including the New American Economy, the National Education Association, the American Immigration Lawyers Association, United We Dream, Asian Americans Advancing Justice, South Asian Americans Leading Together, United Chinese Americans, the National Iranian American Council, the Institute of Electrical and Electronics Engineers, the American Hellenic Educational Progressive Association, which, incidentally, is the largest Greek-American organization, and the Ancient Order of Hibernians, which is the largest Irish-American organization.

In light of the failure of our immigration subcommittee's taking any action to solve this problem, I will ask for unanimous consent to move this bill forward.

To those who are considering whether they will accept or reject it, meet with these people in your State. Sit down with them, and hear of the plights they face today. They are trying to follow the law, and the law is not responsive.

Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2603 and that the Senate proceed to its immediate consideration. I further ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER (Mr. SASSE). Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, in reserving the right to object, I come to the floor to, first, compliment Senator DURBIN on his remarkable story and his family's story about legal immigration to this country. It is something I support. I think we should all consider it a compliment when people want to leave the countries of their births to come to the United States, for they know what we know—that it is a great place in which to live and thrive.

I have a concern with the unanimous consent request before us, the RELIEF Act. Senator DURBIN and I have worked on a couple of immigration issues on which we have bridged the gap but have not quite gotten there.

First off, it could lay the groundwork for a significant increase in legal immigration, but I am also concerned with the mechanics we find ourselves in right now. As I understand it, the RELIEF Act has six cosponsors—all Democrats. Yet there is another bill that is moving through the Senate right now that was offered by Senator LEE. It has been offered in other Congresses, but it is actually making headway. It has 35 cosponsors, and 15 of them are Democrats. They include Senator HARRIS, of California, and Senator DUCKWORTH, the junior Senator of Illinois. I believe this is a very narrowly focused effort to address a lot of the concerns that Senator DURBIN has.

I do not believe Senator DURBIN has the support of the Senate to take this through regular order at this point, let alone through unanimous consent. I hope Senator DURBIN and others will recognize that we do have a shortage of high-skilled workers in this country and that we do need to fix a number of problems, but I don't think they can be fixed with the RELIEF Act.

I encourage Senator DURBIN to work with Senator LEE and with the 34 other Senate Members on a bipartisan basis to address this so we can bring the Fairness for High-Skilled Immigrants Act to the floor and send it to the House for its consideration.

Because of the lack of consensus on many of the provisions in the RELIEF Act, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, the Senator from North Carolina and I both serve on the Senate Judiciary Committee. What I have asked for is a hearing before the Immigration Subcommittee so Senator LEE can bring his bill forward and so I can bring my bill forward so we can try to work out the differences between us. That is usually how the Senate operates. Unfortunately, last week, on the floor, Senator LEE announced that he was opposed to having any hearing on his bill. He didn't want there to be a hearing and a markup. I think it is unfortunate. It really will not lead us to having a bipartisan agreement that might actually solve this problem.

I also think there is a fundamental flaw in Senator LEE's approach. He would take care of the issues facing those from India at the expense of the issues of the immigrants from virtually every other country, for they would be denied the opportunity to apply for green cards while we would be taking care of the backlog from this one nation. I don't think that is the way to approach this.

As the Senator from North Carolina said, if we truly believe more legal immigration of those with talents would be good for America, this is our chance to do it. At this point, I am disappointed. I have told these families who come to see me regularly that I will continue to fight for them—to give them a chance to protect their children and to have a future in America.

I hope Senator LEE will reconsider and allow for a hearing to take place so we can move this bill forward and not just exchange unanimous consent requests on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—S. 2059

Mr. TILLIS. Mr. President, I come to talk about another issue of immigration that concerns me in North Carolina, and I think it is something about which every American should be concerned. It is the sanctuary policies that have been implemented in counties and cities and, at least in one case, statewide.

“Sanctuary city” sounds like a great concept as the United States is a sanctuary to which so many people seek to immigrate. Yet the policy of the sanctuary city actually breaks down the relationship between Federal authorities and local authorities. I think this is dangerous and could potentially—and not only potentially—have serious consequences in communities. I will use a few examples.

Over the past year in North Carolina, we have had over 500 people who have been released who had been arrested by local authorities. Many of them had been arrested for having committed serious crimes. They had been charged with murder, rape, indecent liberties